

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL ADAMS,

Plaintiff,

v.

ANTHONY J. ANNUCCI, Commissioner, et al.,

Defendants.

DECISION AND ORDER

18-CV-6277L


Plaintiff Michael Adams, an inmate in the custody of the New York State Department of Corrections and Community Supervision, has moved for a preliminary injunction and temporary restraining order.

The motion is denied. In order to obtain preliminary injunctive relief in this circuit, a movant must show: (1) irreparable harm in the absence of the relief sought; and (2) either a likelihood of success on the merits, or sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly in the movant's favor. *Donninger v. Niehoff*, 527 F.3d 41, 47 (2d Cir. 2008); *Sunward Elecs., Inc. v. McDonald*, 362 F.3d 17, 24 (2d Cir. 2004). Plaintiff has not carried that burden.

CONCLUSION

Plaintiff's motion for a preliminary injunction (Docket #3) is denied.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is positioned above a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 13, 2018.